07.10.2026
Sl. No.11(DL)
Ct. No.14
srm

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 6220 of 2025

Kazi Mina Begam & Ors.

Versus

State of West Bengal & Ors.

Md. Shafiul Alam,
Md. Basir Layek,
Mr. Kalyan Mitra
...for the Petitioners.

Mr. Mrinal Kanti Sardar
...for the State.

1. Statement of facts filed by the State-respondents furnished by the District Officer, Minority Officer, South 24-Parganas is taken on record.

2. By the present writ petition, the petitioners being the legal heirs of the concerned non-teaching staff seek for release of payment of Rs.5,58,119/- together with interest from April, 2019 till the date of filing of the writ petition.

3. The petitioners contend that their predecessor-in-interest Kazi Abdul Halim (since deceased) worked as a peon at Kumarhat Chandakhali Madrasha Siksha Kendra *(hereinafter referred to as 'MSK'*), who died-in-harness on 18th November, 2021 leaving behind his wife (petitioner No.1), son (petitioner No.2) and daughter (petitioner No.3) as his only legal heirs. At the time of his death, the total arrear honorarium which was payable to the concerned employee was Rs.5,58,119/- for the period from May, 2011. The

petitioners, time and again, approached the authorities for disbursal of the outstanding amount, however, the same has not been paid. Hence, this writ petition.

4. Md. Basir Layek, learned Advocate for the petitioners submits that the respondent authorities be directed to disburse the amount to the petitioners which stood payable to their predecessor-in-interest, at the time of his death, together with interest.

5. Mr. Mrinal Kanti Sardar, learned Advocate for the State-respondents submits that the respondent No.3, District Officer, Minority Officer, South 24-Parganas has communicated to the Director of Madrasah Education, West Bengal on 27th February, 2021 for allocation of fund. However, since the funds have not been allocated such disbursal could not be made.

6. Indisputably, as per the statement of facts, honorarium is due to the deceased employee for the period from 1st May, 2011 to 31st December, 2019. It further reveals that for want of allocation of the fund from the end of the Director of Madrasah Education, West Bengal, the honorarium could not be disbursed.

7. In the above conspectus, the respondent No.5, the Director of Madrasah Education is directed to allocate funds in this regard within a period of eight weeks from the date of communication of this order. Upon receipt of such funds, the respondent No.3, the District Officer, Minority Officer, South 24-Parganas is directed to disburse the amount in favour of the petitioners together with interest at the rate of 7% per annum

from the date of entitlement till the date of actual payment within a period of four weeks from the date of receipt of funds, subject to proper verification and scrutiny.

8. Learned Advocate for the petitioners is directed to communicate this order to the respondent No.5, the Director of Madrasah Education, for necessary compliance.

9. With the above direction, the writ petition being **WPA 6220 of 2025** stands disposed of.

10. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.

11. Interim order, if any, stands vacated.

12. All connected applications, if any, stand disposed of.

13. There shall be no order as to costs.

14. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.

15. Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)